

### **REMARKS**

Applicant has carefully reviewed the Final Office Action mailed on December 8, 2008. Applicant respectfully traverses (and does not concede) all objections, rejections, adverse statements, and adverse assertions made by the Examiner. With this amendment, claim 17 is amended. Claim 27 is newly presented. No new matter is added. Please cancel claims 1-16 without prejudice. Claims 17-20, 22, 23, 25, and 27 remain pending.

#### **Claim Rejections under 35 U.S.C. §112**

Claims 1-4, 7-10 and 13-15 were rejected under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventor(s), at the time the application was filed, has possession of the claimed invention. Without conceding the merits of the rejection, please note that claims 1-4, 7-10 and 13-15 are now canceled without prejudice, rendering the rejection moot. Applicant reserves the right to pursue these claims or claims of a similar scope in the future.

#### **Claim Rejections under 35 U.S.C. §103**

Claims 1, 2, 4, 7-9, 13, 15, 17, 18 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Vigil et al. (JP 05293176) in view of Larmour (U.S. Pat. No. 2,237,152) or Most (U.S. Pat. No. 2,127,043). As indicated above, claims 1, 2, 4, 7-9, 13 and 15 are now canceled. Regarding claims 17, 18, and 20, claim 17 is amended to more clearly define the claimed invention. For example, claim 17 now recites providing a metallic cutting blade having a base, forming a plurality of openings in the metallic cutting blade along the base to define an interlocking surface, and that the interlocking surface is submerged within and interlocked with the joining member. None of the cited art references teach or suggest these limitations. For example, Vigil et al. do not disclose forming a plurality of openings in a metallic cutting blade (e.g., atherotome). Instead, Vigil et al. disclose that substrate 32 (a resinous material such as polyurethane) may include grooves 35a,b,c. Vigil et al. at column 4, lines 18-22 et seq. None of the other cited references cure the shortcomings of Vigil et al. Consequently, Applicant respectfully submits that amended claim 17 is patentable over the cited art. Because claims 18

and 20 depend from claim 17, they are also patentable based on this amendment and because they add significant elements to distinguish them further from the art.

Claims 1, 2, 4, 7-9, 13-15, 17, 18, 20, and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Vigil et al. in view of Larmour or Most as applied to claims 1, 2, 4, 7-9, 13, 15, 17, 18, and 20 above, and further in view of Radisch (U.S. Patent Pub. No. 2003/0040770). As indicated above, claims 1, 2, 4, 7-9, and 13-15 are now canceled. Regarding claims 17, 18, 20, and 25, claim 17 is amended as described above and is believed to be distinguishable from Vigil et al. None of the other cited references cure the shortcomings of Vigil et al. Consequently, Applicant respectfully submits that amended claim 17 is patentable over the cited art. Because claims 18, 20, and 25 depend from claim 17, they are also patentable based on this amendment and because they add significant elements to distinguish them further from the art.

Claims 3 and 19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Vigil et al. and Larmour or Most (or Vigil et al. and Larmour or Most and Radisch) as applied to claims 1, 2, 4, 7-9, 13, 15, 17, 18, and 20 above, and further in view of Lim et al. (U.S. Patent No. 7,147,619). As indicated above, claim 3 is now canceled. Regarding claim 19, as set forth above, Applicant respectfully submits that amended claim 17 is patentable over Vigil et al. and Larmour or Most (or Vigil et al. and Larmour or Most and Radisch). Lim et al. fail to overcome the shortcomings of the cited art. Consequently, Applicant respectfully submits that amended claim 17 is patentable over Vigil et al., Larmour or Most, and Lim et al. (or Vigil et al., Larmour or Most, Radisch, and Lim et al.), to the extent that such combinations are even possible. Because claim 19 depends from claim 17, it is also patentable for the same reasons as claim 17 and because it adds significant elements to distinguish it further from the art.

Claims 10, 22 and 23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Vigil et al. and Larmour or Most (or Vigil et al. and Larmour or Most and Radisch) as applied to claims 1, 2, 4, 7-9, 13, 15, 17, 18, and 20 above, and further in view of Forman et al. (U.S. Pat. No. 5,514,092). As indicated above, claim 10 is now canceled. Regarding claims 22 and 23, Applicant respectfully submits that amended claim 17 is patentable over Vigil et al. and Larmour or Most (or Vigil et al. and Larmour or Most and Radisch). Forman et al. fail to overcome the shortcomings of the cited art. Consequently, Applicant respectfully submits that claim 17 is patentable over Vigil et al., Larmour or Most, and Forman et al. (or Vigil et al., Larmour or

Most, Radisch, and Forman et al.), to the extent that such combinations are even possible. Because claims 22-23 depend from claim 17 they are also patentable for the same reasons as claim 17 and because they add significant elements to distinguish them further from the art.

**Conclusion**

Reexamination and reconsideration are respectfully requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

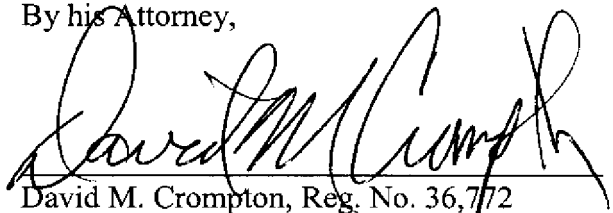
Respectfully submitted,

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By his Attorney,

Date: \_\_\_\_\_

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